



EXPRESS MAIL NO.: EL 501 633 396 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: GATELY, MAURICE K. et al.

Serial No.: 09/401,839

Group Art Unit: 1646

Filed: September 22, 1999

Examiner: Mertz, P.

For: PURIFICATION AND
CHARACTERIZATION OF
CYTOTOXIC LYMPHOCYTE
MATURATION FACTOR AND
MONOCLONAL ANTIBODIES
THERE TO

Attorney Docket No.: 1803-247

SECOND DECLARATION OF THOMAS E. FRIEBEL
UNDER 37 C.F.R. § 1.608(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

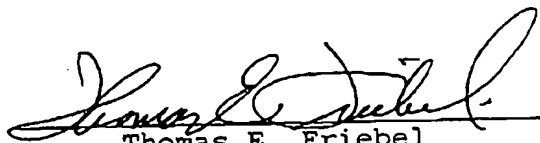
Sir:

I, Thomas E. Friebe, declare and state as follows:

1. I am a partner at the law firm of Pennie & Edmonds LLP and am an attorney of record in the above-captioned application.
2. I am familiar with the proposed count in the accompanying "Request Under 37 C.F.R. §§ 1.607 And 1.608(a) For Interference With A Patent."
3. There is a basis upon which Applicants are entitled to a judgment relative to the patentee of United States Patent No. 5,811,523.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date June 26, 2000


Thomas E. Friebe